

January 30, 2006
Case No. GP-304136 (2760/144)
Serial No.: 10/801,309
Filed: March 16, 2004
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REMARKS

A. Claim 15 was rejected under 35 U.S.C. §112

The §112 rejection has been obviated by amending the claim dependency of claim 15. This amendment is made not to avoid any reference, but rather to correct a typographical error. No new matter was introduced with the amendment to claim 15. Withdrawal of the rejection is requested.

B. Claims 1-5 and 7-20 were rejected under 35 U.S.C. §102(e) as anticipated by Howe.

Applicants traverse the §102(e) rejection of claims 1-5 and 7-20. In order to maintain the §102(e) rejection, each and every element of the claimed invention must be disclosed by the reference in at least as great detail as claimed. Because the references alone or in combination fail to disclose each and every element, the rejection must fall. Applicants address this response to Howe, 6,876,855 based on the substance of the rejection, rather than United States Patent 6,615,381 as listed in the body of the office action. The '381 patent is issued to Fukuda, and Applicants believe the reference to the '381 patent to be a typographical error. See, page 2, ¶5 of the November 9, 2005 office action, and the Form 892.

Howe does not disclose assigning the MDN providing local calling access to the MCD from the base address for the MCD, in the selected wireless rate center encompassing the base address, to the MCD, as claimed in claims 1, 11 and 16. In fact, Howe does not disclose a method that assigns a MDN to a wireless communication device at all. Instead, Howe discloses obtaining a temporary local directory number (TLD number) in response to a call request from a server. The server then uses the TLD number to reach a data unit on a network to place a call over the PSTN to the switch.

At most, Howe discloses methods to use a land based unit to provide delivery path optimization to a wireless mobile unit. Howe does not disclose any methods to assign a MDN to a wireless unit, and Howe only discloses methods to contact a wireless unit.

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For similar reasons, Howe does not disclose activating the assigned MDN as claimed in claim 2.

For at least the above reasons, withdrawal of the rejections to claims 1, 11 and 16, is requested, as well as claims 4-5, 7-10, 12-15, and 17-20 depending directly or indirectly from claims 1, 11, or 16.

C. Claim 6 was rejected under 35 U.S.C. §103(a) as unpatentable over Howe in view of Gallant.

The §103(a) rejection of claim 6 is traversed. Claim 6 depends indirectly from claim 1 and is therefore patentable over the references for at least the same reasons as claim 1. Withdrawal of the rejection to claim 6 is requested.

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SUMMARY

The rejections of claims 1-20 have been obviated by amendments and remarks herein supporting an allowance of pending claims 1-20 over the art of record. The Applicants respectfully submit that claims 1-20 herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

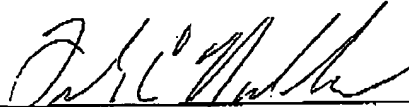
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Respectfully submitted,
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